Express Mail No EV335857715US First Class Mail Date Mailed 11/11/2003 Serial No. 09/501,148 Filed Februay 9, 2000 Inventor Suffin et al. For METHOD FOR CLASSIFYING AND TREATING PHYSIOLOGIC BRAIN IMBALANCES USING QUANTITATIVE EEG Petition to Correct Inventorship; Statement of W. Hamlin Emory; Statement of Stephen C. Suffin; and Statement of Assignee File no.: 10701-006 Sender: LAC/RXN



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First Class Mail

Filed Februay 9, 2000

Express Mail No EV335857715US

Date Mailed 11/11/2003

Serial No. 09/501,148

Inventor Suffin et al.

METHOD FOR CLASSIFYING AND TREATING PHYSIOLOGIC BRAIN IMBALANCES USING QUANTITATIVE EEG

Petition to Correct Inventorship;

Statement of W. Hamlin Emory;

Statement of Stephen C. Suffin; and

Statement of Assignee





Inventors: Stephen C. Suffin and

Issued:

September 16, 2003

W. Hamlin Emory (as amended)

Filed:

February 9, 2000

Patent No.: 6,622,036 B1

Art Unit:

3736

Serial No.

09/501,149

Examiner:

Robert L. Nasser

For:

METHOD FOR CLASSIFYING

Attorney Docket No:

10701-006

AND TREATING PHYSIOLOGIC

BRAIN EMBALANCES USING

QUANTITATIVE EEG

PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. § 1.324

MAIL STOP PETITION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.134(a), the assignee and all inventors of the aboveidentified patent hereby petition the United States Patent and Trademark Office ("USPTO") to correct the inventorship of the above-identified patent by adding W. HAMLIN EMORY as a co-inventor.

In support thereof and pursuant to 37 C.F.R. §1.134(b), the following documents are submitted herewith:

- 1. Statement of W. Hamlin Emory stating that the inventorship error occurred without any deceptive intention on his part (Tab 1);
- 2. Statement of Stephen C. Suffin agreeing to the correction of inventorship (Tab 2); and
- 3. Statement of Assignee CNS Response Inc., complying with 37 C.F.R. § 3.73(b) and agreeing to the correction of inventorship (Tab 3).

It is respectfully submitted that all the requirements of 37 C.F.R. §§ 1.324(a & b) have been met, that the present Petition should be granted, and that W. Hamlin Emory be

added as a co-inventor to the above-identified patent.

Please charge the estimated fee of \$130.00 pursuant to 37 CFR § 1.20(b) and any other fees that may be required to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed for accounting purposes.

If any issues remain, the Examiner is invited to telephone the undersigned to discuss the same and to arrange for prompt and efficient handling of the above-captioned application.

Respectfully submitted,

Date: November 11, 2003

(Reg. No.)

Laura A. Coruzzi

30,742

By: Rattan Nath.

43,827

PENNIE & EDMONDS LLP

1155 Avenue of the Americas New York, New York 10036-2711

(212) 790-9090

Enclosures

Patentees:

Stephen C. Suffin and

Issued:

September 16, 2003

W. Hamlin Emory (as amended)

Filed:

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Patent No.: 6,622,036 B1

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3736

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Examiner:

Robert L. Nasser

For:

METHOD FOR CLASSIFYING

Attorney Docket No:

10701-006

AND TREATING PHYSIOLOGIC

BRAIN IMBALANCES USING

QUANTITATIVE EEG

STATEMENT OF W. HAMLIN EMORY UNDER 37 C.F.R. § 1.324(b)(1)

MAIL STOP PETITION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

I, W. HAMLIN EMORY, residing at 21609 Rambla Vista, Malibu, CA 90265, hereby declare and state as follows:

- I have been inadvertently omitted as a co-inventor of the aboveidentified patent; and
- The inventorship error of failing to include my name as a co-inventor 2. of the above-identified patent occurred without any deceptive intention on my part.

Dated: <u>10-31・43</u>

Patentees:

Stephen C. Suffin and

Issued:

September 16, 2003

W. Hamlin Emory (as amended)

Filed:

February 9, 2000

Patent No.: 6,622,036 B1

Art Unit:

3736

Serial No.

09/501,149

Examiner:

Robert L. Nasser

For:

METHOD FOR CLASSIFYING

Attorney Docket No:

10701-006

AND TREATING PHYSIOLOGIC

BRAIN IMBALANCES USING

QUANTITATIVE EEG

STATEMENT OF STEPHEN C. SUFFIN UNDER 37 C.F.R. § 1.324(b)(2)

MAIL STOP PETITION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

I, STEPHEN C. SUFFIN, hereby declare and state as follows:

- 1. I am currently named as the only inventor of United States Patent No. 6,622,036 B1; and
- 2. I hereby consent to correct the inventorship by adding W. Hamlin Emory as a co-inventor of the above-identified patent.

Patentees:

Stephen C. Suffin and

Issued:

September 16, 2003

W. Hamlin Emory (as amended)

Filed:

February 9, 2000

Patent No.: 6,622,036 B1

Art Unit:

3736

Serial No.

09/501,149

Examiner:

Robert L. Nasser

For:

METHOD FOR CLASSIFYING

Attorney Docket No:

10701-006

AND TREATING PHYSIOLOGIC **BRAIN IMBALANCES USING**

QUANTITATIVE EEG

STATEMENT OF ASSIGNEE UNDER 37 C.F.R. § 1.324(b)(3)

MAIL STOP PETITION Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

CNS RESPONSE, INC.(a corporation) by LEONARD BRANDT its President and CEO who is authorized to act on its behalf in patent matters, hereby declares and states as follows:

- 1. It is the assignee of the entire right, title, and interest in the aboveidentified patent by virtue of:
- (i) an assignment from Stephen Suffin to CNS Response Inc. (copy attached), which has been recorded on June 15, 2000, at Reel 010904, Frame 0428, and
- (ii) a supplemental assignment from Stephen C. Suffin and W. Hamlin Emory (copy attached), that is being submitted concurrently (copy attached) for recording in the United States Patent and Trademark Office.

patent by adding W. Hamlin Emory as a co-inventor of the above-identified patent.

CNS RESPONSE

BY:

Leonard Brandt
President and CEO
CNS RESPONSE

Enclosure

It hereby consents to correct the inventorship of the above-identified

2.

Express Mail No. EV 326, 325 047 Date Mailed NOV EMPEL 11, 200 Serial No. O9/50/, 149 Inventor SUFFIC & Lal. For M& Hood Food Classife TMBALAUCES USINS () Affidavit/Declaration () Amendment () Response	Filed February 9,2008 Ling and Treating Physiologic BRAIN
() Application pages () claims drawing sheets () Assignment () Cover Sheet () Brief (in triplicate) () Declaration & Power of Attorney () Executed () Unexecuted () Copy () Declaration of Inventor(s) () Executed () Unexecuted () Copy () Design Application () () Disclaimer () Disclaimer Fee () Disclosure Statement () Form PTO-1449 () w/refs. () w/o refs. () Drawings, Formal Sheets Figures Other:	() Issue Fee Transmittal () Notice of Appeal () Oral Hearing Request/Confirm () Petition to Extend Time month(s) () Petition under 37 C.F.R () Power of Attorney () by Assignee () Associate () with Revocation () Request for Correction of Filing Receipt () Sequence Listing w/Computer Readable and Paper Copy () Small Entity Statement () Status Letter () Transmittal Letter
File No. 10701-006	Sender: LAC/RXIX



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BUSINESS REPLY MAIL FIRST CLASS MAIL PERMIT NO. 1825 NEW YORK, NY

POSTAGE WILL BE PAID BY ADDRESSEE

Pennie & Edmonds LLP 1155 Avenue of the Americas New York, NY 10109-1441

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ASSIGNMENT

WHEREAS, WE, STEPHEN C. SUFFIN and W. HAMLIN EMORY, ASSIGNORS, citizens of the United States, residir
at 13151 Chandler Boulevard, Sherman Oaks, CA 91401 and 21609 Rambla Vista, Malibu CA 90265, are the inventors of the invention
in METHOD FOR CLASSIFYING AND TREATING PHYSIOLOGIC BRAIN IMBALANCES USING QUANTITATIVE EE
for which we have executed an application for a Patent of the United States

behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

which is identified by Pennie & Edmonds LLP docket no. 10701-006

Which was filed on February 9, 2000, Application No. 09/501,149, and issued as Patent No. 6,622,036 B1 on September 16, 2003

and WHEREAS, CNS RESPONSE, INC., ASSIGNEE, with principal offices located at 2510 N. Grand Avenue, Suite 206, Santa Ana, CA 92705-8754, is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures. Stephen C. Suffin Date L.S. Date L.S. State of County of , 2003, before me, , Notary Public, personally appeared STEPHEN C. SUFFIN, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. WITNESS my hand and official seal State of) SS.: County of On <u>, 2003</u>, before me, Notary Public, personally appeared W. HAMLIN EMORY, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

before me		
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Though the information below is not required by law, it may prove valuable to persons relying on the document and could preven fraudulent removal and reattachment of this form to another document. Description of Attached Document itle or Type of Document:	My Comm. Expires Apr 11, 2005	Signature of Notary Public
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Description of Attached Document itle or Type of Document: In the United States Patent and Inademark ocument Date: 10/31/03 Number of Pages:	rnough the information below is not required by law, it may prove fraudulent removal and reattachmen	valuable to persons relying on the document and could preven It of this form to another document
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igner(s) Other Than Named Above: N/A Sapacity(ies) Claimed by Signer igner's Name: W. Haww. Embry Individual Corporate Officer — Title(s):		1
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Trustee Guardian or Conservator Other:	☐ Attorney-in-Fact	
Other:	☐ Trustee	
gner Is Representing: N/K	Utner:	
	Signer Is Representing: N/A	

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California)
County of Ventura	SS.
	Sycanore Villenucia Notary Public's Sufficient (e.g., "Jane Doe, Notary Public")
On November 4 Z003 before me,	Dyanne Villenucia Notary tul
parsonally appeared Stack C	Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared	(Male(s) of Signer(s)
	personally known to me
	proved to me on the basis of satisfactory evidence
	4- b- 4
	to be the person(y) whose name(x (is) s (s)) subscribed to the within instrument and
DYANNE VILLANUEVA	acknowledged to me that he/st@/the/ executed
Commission # 1349890	the same in his/hor/the authorized capacity(les), and that by his/hor/then
Notary Public - California	signature(s) on the instrument the person(s), or
Ventura County My Comm. Expires Apr 11, 2006	the entity upon behalf of which the person(g)
	acted, executed the instrument.
	WITNESS my hard and official seal.
	Alth
	Signature of Notary Public
	()
OP:	TIONAL —
Though the information below is not required by law, it may prefer fraudulent removal and reattache	rove valuable to persons relying on the document and could prevent ment of this form to another document.
Description of Attached Document	A
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Title or Type of Document: In the Luit	id Hates I blent and Seade man
Document Date: 11/4/03	Number of Pages: 1
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Signer(s) Other Than Named Above:/V/	- •
Capacity(ies) Claimed by Signer	
Signer's Name: Stephen	c. Sulling
·	RIGHT THUMBPRINT OF SIGNER
Individual	Top of thumb here
☐ Corporate Officer — Title(s):☐ Partner — ☐ Limited ☐ General	
☐ Attorney-in-Fact	
☐ Trustee	
☐ Guardian or Conservator ☐ Other:	
Signer Is Representing: Himsul	
\cup	